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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number

10/755,849

Filing Date

01/12/2004

First Named Inventor

Walter M. Bain

Art Unit

3653

Examiner Name

Attorney Docket Number

1311.APT.CI

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

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Drawing(s)

☐

Licensing-related Papers

☐

Petition

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Petition to Convert to a
Provisional Application

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Power of Attorney, Revocation

☐

Change of Correspondence Address

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Terminal Disclaimer

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Request for Refund

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CD, Number of CD(s) _____

☐ Landscape Table on CD

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After Allowance Communication to TC

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Appeal Communication to Board
of Appeals and Interferences

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Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

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Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

BATEMAN IP LAW GROUP

Signature

Printed name

Randall B. Bateman

Date

May 17, 2005

Reg. No.

37,774

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Typed or printed name

Randall B. Bateman

Date

May 17, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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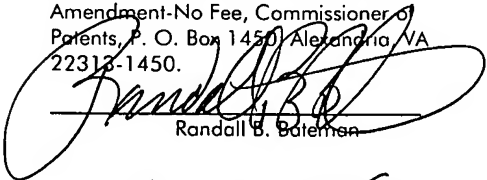
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Walter M. Bain
SERIAL NO.: 10/755,849
FILING DATE: 01/12/2004
TITLE: Automated Prescription Dispensing
System and Method of Use
ART UNIT: 3653
EXAMINER:
DOCKET NO.: 1311.APT.CI

CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Mail Stop Amendment-No Fee, Commissioner of Patents, P. O. Box 1450, Alexandria, VA 22313-1450.


Randall B. Bateman

May 17, 2005
Date of Deposit

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Mail Stop Amendment-No Fee
Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.98(a)(1), enclosed is Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed, pursuant to 37 C.F.R. § 1.97 (b), within three months of the filing date of the application, within three months of the date of entry of the national stage set forth in § 1.491 or before the mailing date of a first Office action on the merits. Applicant requests that the references cited in the enclosed form PTO-1449 be made of record in the above-captioned application. While no representation is made that any of the references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or

patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no reference which is more relevant to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference or relevant portion thereof is also enclosed. Any listed reference that is not in the English language is accompanied by a concise explanation in English of its relevance as required under 37 C.F.R. § 1.98(a)(3)(i).

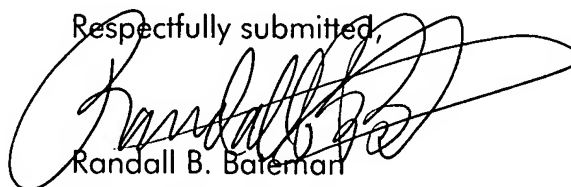
In compliance with 37 C.F.R. § 1.98(d), the Applicant identifies the following application which is relied on in the above-captioned application for an earlier effective filing date under 35 U.S.C. § 120 and in which one or more Information Disclosure Statements were submitted that comply with 37 C.F.R. § 1.98(a)-(c). Copies of all PTO-1449 and PTO-892 forms that were made of record in the previous application identified below are enclosed herewith for reference, but copies of the references cited therein are not provided as permitted by 37 C.F.R. § 1.98(d).

| <u>TITLE</u> | <u>SERIAL NO.</u> | <u>FILING DATE</u> |
|--|-------------------|--------------------|
| Automated Prescription Dispensing System and Method of Use | 09/655,704 | 09/06/2000 |

Please charge any additional fees or credit any overpayment to Deposit Account No. 502720.

DATED this 17th day of May, 2005.

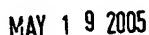
Respectfully submitted,



Randall B. Bateman
Attorney for Applicant
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

(Use as many sheets as necessary)

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Complete if Known

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| Application Number | 10/755,849 |
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| Filing Date | 01/12/2004 |
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| First Named Inventor | Walter M. Bain |
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| Art Unit | 3653 |
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Examiner Name

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| Attorney Docket Number | 1311.APT.CI |
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Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language. Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Notice of References Cited

Application/Control No.

09/655,704

Applicant(s)/Patent Under
Reexamination
BAIN, WALTER M.

Examiner

Rachel L. Porter

Art Unit

3626

Page 1 of 1

U.S. PATENT DOCUMENTS

| * TRADEMARK | | Document Number Country Code-Number-Kind Code | Date MM-YYYY | Name | Classification |
|-------------|---|--|-----------------|---------------------|----------------|
| * | A | US-4,847,764 | 07-1989 | Halvorson, Jerry L. | 700/231 |
| * | B | US-5,713,485 | 02-1998 | Liff et al. | 221/2 |
| | C | US-6,219,587 | 04-2001 | Ahlin et al. | 700/233 |
| | D | US-6,021,392 | 02-2000 | Lester et al. | 705/2 |
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| | F | US- | | | |
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| | I | US- | | | |
| | J | US- | | | |
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FOREIGN PATENT DOCUMENTS

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NON-PATENT DOCUMENTS

| * | | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

Application Number

09/655,704

Filing Date

September 6, 2000

First Named Inventor

Walter M. Bain

Group Art Unit

2161

Examiner Name

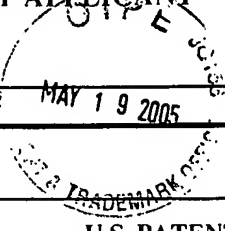
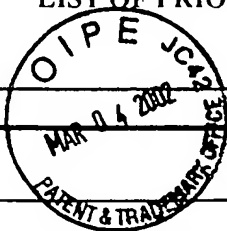
Attorney Docket

1311.APT.PT

LIST OF PRIOR ART CITED BY APPLICANT

Sheet 1 of 001

MAY 19 2005



U.S. PATENT DOCUMENTS

| EXAMINER INITIALS | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|-------------------|----|-----------------|---------------|------------|-------|----------|----------------------------|
| JDC | AA | 5,377,864 | Jan. 3, 1995 | Blechl | | | |
| JDC | AB | 5,408,443 | Apr. 18, 1995 | Weinberger | | | |
| | AC | | | | | | |
| | AD | | | | | | |
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FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO |
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| | AL | | | | | | |
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OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

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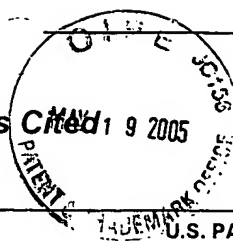
EXAMINER

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Notice of References Cited



Application/Control No.

09/655,704

Applicant(s)/Patent Under Reexamination
BAIN, WALTER M.

Examiner

Janet D. Chance

Art Unit

3626

Page 1 of 1

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| * | | Document Number Country Code-Number-Kind Code | Date MM-YYYY | Name | Classification |
|---|---|--|-----------------|-----------------------|----------------|
| | A | US-4,847,764 | 07-1989 | Halvorson, Jerry L. | 700/231 |
| | B | US-5,713,485 | 02-1998 | Liff et al. | 221/2 |
| | C | US- | | | |
| | D | US- | | | |
| | E | US-5,408,443 | 04-1995 | Weinberger, Edward D. | 368/10 |
| | F | US-5,377,864 | 01-1995 | Blechl et al. | 221/2 |
| | G | US-6,352,200 | 03-2002 | Schoonen et al. | 235/375 |
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| | I | US- | | | |
| | J | US- | | | |
| | K | US- | | | |
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NON-PATENT DOCUMENTS

| * | | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) |
|---|---|---|
| | U | Anonymous, "Developers Should Link Physicians and Pharmacies", Electronic Claims Processing Report, v3, v23, 13 November 1995, Dialog file 636 accession number 02916216 |
| | V | Fitzgerald, Walter, "Fax for facts. (facsimile prescriptions)" Drug Topics, v138, n12, p59, 27 June 1994, Dialog file 148, accession number 07302603 |
| | W | Anonymous, "PCS expands its leadership position in M.D. connectivity with new agreement; Potential for up to 100,000 additional physicians to be connected.", Business Wire, 8 November 1995, Dialog file 16, accession number 04068446 |
| | X | |

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.